

REMARKS

Claims 1-18 are pending. Claims 11 and 12 have been amended to overcome the 37 CFR 1.75(a) objection. No new matter has been presented.

Claims 11 and 12 are objected to for failing to point out and distinctly claim the subject matter which applicants regard as the invention. Claims 11 and 12 have been amended as suggested by the Examiner, and withdrawal of this objection is respectfully requested.

Claims 1, 3-6, 11, 12, 17 and 18 stand rejected under 35 USC 103(a) as being unpatentable over Ueda, U.S. Patent No. 6,538,764, in combination with Kajita, U.S. Patent No. 6,069,706. Claims 2, 7, 10 and 13-15 stand rejected under 35 USC 103(a) as being unpatentable over Ueda and Kajita, as applied to claim 1, and further in view of Kajita. Claims 8 and 9 stand rejected under 35 USC 103(a) as being unpatentable over the combination of Ueda and Kajita, as applied to claim 1, and further in view of Iwazaki, U.S. Patent No. 6,687,742. Claim 16 stands rejected under 35 USC 103(a) as being unpatentable over Ueda and Kajita, as applied to claim 1, and further in view of Ogura, U.S. Patent No. 6,961,136. These rejections are respectfully traversed.

With respect to claim 1, the Examiner asserts that Ueda teaches all of the claimed features except for a transmission unit that transmits the acquired image data to the external apparatus so that the transmitted image data is stored in the storage apparatus thereof. The Examiner asserts that the feature missing from Ueda is taught by Kajita. Applicants respectfully disagree.

Ueda describes that printing information from a host computer as an information processing apparatus is converted into intermediate code information so as to enable printing on band basis, and the intermediate code information thus obtained is stored in a predetermined area preserved in a memory resource of a printing apparatus (col. 3, lines 22-27). Ueda teaches that when the size of the intermediate codes exceeds the size of the storage area, the intermediate code

information is suitably processed so as to form a vacancy in the memory resource of the printing apparatus without requiring expansion of the memory resource (col. 3, lines 27-34).

The Examiner asserts that Ueda discloses the claimed judgment unit that judges, prior to commencement of the image processing, whether the image data is stored in the storage unit. The Examiner asserts that this feature is taught by Ueda's disclosure of a first judging means for judging whether or not the intermediate code information corresponding to one page has been stored in the first storage area.

The Examiner also asserts that the claimed second data acquiring unit that acquires the image data from the external apparatus if the judgment unit judges negatively is taught by Ueda's disclosure of "second memory control means operative after the preservation of the vacant area by the first memory control means and operative based on the result of the judgment performed by the first judging means, so as to cause the second conversion means to convert into image the intermediate code information of a band which does not contain image data from among the bands of intermediate code information stored in the first storage area, and to develop the image into the second storage area" (citing col. 3, line 63 to col. 4, line 4).

However, to meet these limitations of claim 1, Ueda must teach that it is first determined whether image data is stored in a first storage area and then, if the result of that determination is negative (i.e., the data is not stored in the first storage area), image data is acquired from an external apparatus (a storage area different than the first storage area), but if the result is positive, the image data is acquired from the first storage area. This is not what is taught by the portions of Ueda cited by the Examiner. Ueda is not teaching that if the image data to be subject to image processing is not stored in a first storage unit (the storage unit of the image processing apparatus), then the image data is acquired from the external apparatus, but if it is stored in the first storage unit, the image data is acquired from that first storage unit. Ueda actually relates to how the information is stored in first and second storage areas of a single memory resource, but not how the information is retrieved from one of two separate apparatuses or how it is determined from where the information should be retrieved, which is what is being claimed in claim 1.

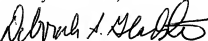
Further, the Examiner admits that Ueda fails to teach a transmission unit that transmits the acquired image data to the external apparatus so that the transmitted image data is stored in the storage apparatus thereof. However, this is because Ueda is not teaching that the image data is stored in an external apparatus, thus there is no need to employ a transmission unit that transmits acquired image data to an external apparatus to be stored therein. Ueda clearly describes a first storage area of a memory resource and a second storage area of *the* memory resource (see col. 3, line 43 and 44 and lines 48 and 49). Since the first and second storage areas are in the same memory resource, there is no need to transmit acquired image data to an external apparatus. Thus, even if this feature is taught by another reference, one of ordinary skill in the art would have no reason to modify Ueda to provide the claimed transmission unit.

Claims 17 and 18 are allowable because they recite substantially the same features as claim 1. The remaining claims are allowable at least due to their respective dependencies and further in view of the failure of the other remaining references to overcome the deficiencies of Ueda. Applicants request that these rejections be withdrawn.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772034700.

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